IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 33751 of 1997

Between:

G.Basappa S/O Kurmanna
R/O Jampally Village, Dharoor Mandal,
Mahabubnagar district.

..... PETITIONER

AND

1 The Superintending Engineer, Panchayat Raj Division,
Near Collectorate, Mahabubnagar Dist.
2 The Superintending Engineer, Priya Darshini Jurala Project,
Circle No.I, Gadwal, Mahabubnagar Dist.
3 The Superintending Engineer, Priya Darshini Jurala Project,
Circle.no.2, Peddair Mandal, Mahabubnagar Dist.
4 The Superintending Engineer, R & B.,
Rural Circle, Balkampet, Hyderabad.
5 The Superintending Engineer, Irrigation,
Red Hills, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or direction more particularly one in the Nature of Writ of Mandamus or any other appropriate Writ or direction declaring the action of the respondents in not issuing the tender schedule for execution of work to the petitioner as arbitrary, illegal and unreasonable and for a consequential direction directing the respondents herein to issue tender schedules to the petitioner herein without insisting upon for the production of Sales Tax clearance certificate from Commercial Tax department and also Experience Certificate in similar nature of works.

Counsel for the Petitioner: MR.C.BUCHI REDDY

Counsel for the Respondents: GP FOR IRRIGATION

The Court made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the condition in the tender notice insisting for a certificate about the financial soundness and stability of the petitioner to shift the hot mixing plant as illegal and arbitrary.

This Court, while admitting the writ petition on 19.12.1997, granted interim direction directing the respondent to issue tender schedules to the petitioner for the items of the tender notices in question without insisting on the certificate about the financial soundness and stability of the petitioner.

Today, when the matter is taken up for hearing, the learned counsel for the petitioner called absent. Learned Government Pleader for Roads and Buildings appearing for the respondent submits that in view of the interim direction granted by this Court, no further orders are need to be passed in the writ petition and the same has become infructuous.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

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06.04.2005

dr/tvk

Copy to

1 The Superintending Engineer, Panchayat Raj Division,
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6 2 CCs to Government Pleader for Irrigation,

High Court Buildings, Hyderabad. (OUT)

7 2 CD copies.